

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TERRENCE GARRETT,

Plaintiff,

CIVIL ACTION NO. 09-13141

vs.

DISTRICT JUDGE AVERN COHN

STATE TROOPER ADAMS, et.al.,

MAGISTRATE JUDGE DONALD A. SCHEER

Defendants.

ORDER DENYING PLAINTIFF'S MOTION
FOR DISCOVERY-DISCLOSURE

This cause comes before the Court on Plaintiff's Motion for Discovery-Disclosure filed on August 16, 2010 (Docket #62). Defendants separately filed responses opposing the motion (Docket #62-#67). Plaintiff seeks to compel Defendants to produce the "name and, if known, the address and telephone number of each individual likely to have discoverable information that [Defendants] may use to support [their] claim". Plaintiff seeks "all documents, electronically stored information and tangible things that are in the possession, custody or control of the Defendants" that may be used to support their claims. (Plaintiff's Motion, pp. 1-2).

Defendants have already provided Plaintiff with a list of individuals that may possess discoverable information. The docket reflects the fact that Defendants have supplied Plaintiff with Witness Lists (Docket #53-55). Since discovery is currently ongoing, Defendants will update their lists as they become aware of individuals, documents and tangible items necessary to support their defense.

Plaintiff also seeks depositions, interrogatories, medical records or any other documents or information, which is to be produced "30 days before a trial date is set in this

matter.” (Plaintiff’s Motion, pp. 3 & 5). Presumably, Plaintiff’s vague and overly broad request is based upon Fed. R. Civ. P. 26(a)(3)(B), which requires disclosure of evidence that a party may present at trial 30 days prior to trial. As such disclosures are mandatory unless the Court orders otherwise, no order from this Court is required to facilitate this disclosure.

SO ORDERED.

s/Donald A. Scheer
DONALD A. SCHEER
UNITED STATES MAGISTRATE JUDGE

DATED: September 9, 2010

CERTIFICATE OF SERVICE

I hereby certify on September 9, 2010 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants on September 9, 2010: **Terrence Garrett.**

s/Michael E. Lang
Deputy Clerk to
Magistrate Judge Donald A. Scheer
(313) 234-5217